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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,465	11/08/1999	JUNICHI REKIMOTO	SONY-Q-9320	6689
29175	7590	03/24/2006		
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			EXAMINER TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/436,465	<b>Applicant(s)</b> REKIMOTO, JUNICHI	
	<b>Examiner</b> Mylinh Tran	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 23 December 2005.

2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 12, 13, 24, 25, 29-34, 38 and 39 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 12, 13, 24, 25, 29-34, 38 and 39 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
       Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
       Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
       a) ☐ All    b) ☐ Some \* c) ☐ None of:  
           1. ☐ Certified copies of the priority documents have been received.  
           2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
           3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
       Paper No(s)/Mail Date \_\_\_\_\_

4) ☐ Interview Summary (PTO-413)  
       Paper No(s)/Mail Date. \_\_\_\_\_

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's Amendment filed 12/23/05 has been entered and carefully considered. Claims 1, 11, 14, 23, 26, 27 and 35-37 have been canceled. Claims 12-13, 24-25 and 29-34 have been amended. Claims 38-39 have been added. However, the limitations of the amended and new claims have not been found to be patentable over prior art of record and newly discovered prior art, therefore, claims 12-13, 24-25, 29-34 and 38-39 are rejected under the new ground of rejection as set forth below.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-13, 24-25, 29-30, 32-33 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hug et al. [US. 5,806,078] in view of Moran et al. [US. 5,786,814].

As per independent claims 38-39, Hug et al. teach a computer implemented method and corresponding system for information processing comprising the steps/means:

storage means for repeatedly storing application data in a plurality of different stored states when said application is operated, wherein each of said different stored state off said application data comprises time information corresponding

to at least one of a day and time at which said data is stored (col. 1, lines 55-62 and col. 6, lines 28-41),

control means for locating application data from said stored plurality of different sets of said application data at about at least one of said set day and time and for reproducing the state of said application program by using said located application data (column 5, line 38 to column 6, line 6, col. 9, lines 36-45); wherein when said at least one of day and time is set by said time setting means (column 6, lines 28-41);

control means of said another application program locate another application data from said stored plurality of different sets of another application data at time closet to at least one of said received day and time information and reproduce the state of said another application program by using said located another application data (column 5, line 10 to column 6, line 6 and column 10, lines 31-60).

Hug et al. fail to clearly teach that said application program comprising: transmit means for transmitting time information to another application program, receive means for receiving time information from said another application program, time setting means for setting at least one of desired day and time in said application program and said transmit means transmits at least one of said set day and time information to another application.

However, Moran et al. show transmit means for transmitting time information to another application program and receive means for receiving time information

from said another application program (column 3, lines 11-60 and column 5, line 44 through column 6, line 25); and time setting means for setting at least one of desired day and time in said application program and said transmit means transmits at least one of said set day and time information to another application (column 11, line 25 through column 12, line 34)

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Moran with Hug's teachings. Motivation of the combination would have been to communicate between applications with time.

As per claims 12 and 24, Hug et al. teach the application program containing a file management program for managing files (Version Manager Processor 36 of fig. 2).

As per claims 13 and 25, Hug et al. teach said application program containing a position and time information management program for managing user input position information and the time information corresponding to the position information (col. 10, lines 32-64, the system compares between the two versions, with different time, and displays positions of data which has changed).

As per claims 29 and 32, Moran et al. teach the application program being capable of multicasting said time information to said another application program belonging to a particular group (column 3, lines 11-60 and column 5, line 44 through column 6, line 25).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Moran with Hug's teachings.

Motivation of the combination would have been to communicate between applications with time.

As per claims 30 and 33, Hug teaches the particular program being an application started by a same user (e.g. col. 4, lines 36-51).

Claims 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hug in view of admitted prior art.

As per claims 31 and 34, Hug does not disclose the application program operating on a different computer than said another application program. This feature is taught by the admitted prior art (pages 1-3 of the specification). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement application program on different computers in Hug's system since it would have taken advantage of computer networking to have application programs to run from different locations.

### **Response to Arguments**

Applicant's arguments filed 12/23/2005 have been fully considered but they are not persuasive.

Applicant argued that Hug et al. fail to clearly teach reproducing the state of said application program by using said located application data.

The Examiner disagrees for the following reasons. In column 5, lines 38-67, Hug clearly teaches the step of reproducing the state of the application program regenerate the version document.

Therefore, Hug does teach reproducing the state of said application program by using said located application data.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

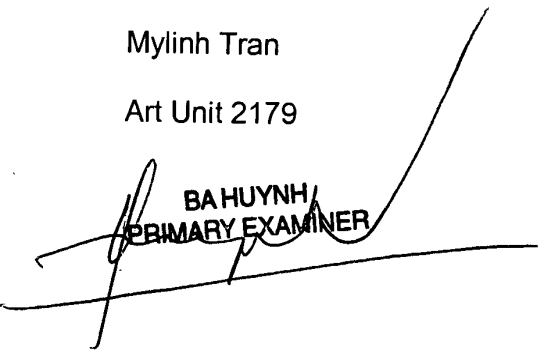
The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

  
BA HUYNH/  
PRIMARY EXAMINER